

PARKS AND CULTURAL AFFAIRS COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

-
Minutes

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A regular meeting of the Parks and Cultural Affairs of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday, **August 4, 2004**.

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MEMBERS PRESENT:

Legislator Jay Schneiderman • Chairperson

Legislator Michael Caracciolo • Vice•Chair

Legislator Cameron Alden

Legislator Angie Carpenter

Legislator Vilorio•Fisher

Legislator Ricardo Montano

Legislator O'Leary

MEMBER NOT PRESENT:

Legislator Jon Cooper • Excused Absence

ALSO IN ATTENDANCE:

Mea Knapp • Counsel to the Legislature

Ronald Foley • Chief Deputy Commissioner of Parks

Sean Clancy • Budget Review Office

Charlie Bender • Aide to P.O. Caracappa

All other interested parties

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MINUTES TAKEN BY:

Donna Catalano • Court Stenographer

(* THE MEETING WAS CALLED TO ORDER AT 11:45 A.M. *)

CHAIRMAN SCHNEIDERMAN:

I'd like to call the meeting of the Parks Committee to order. If you will all rise and join us for the Pledge of Allegiance led by Legislator Carpenter.

SALUTATION

CHAIRMAN SCHNEIDERMAN:

First, I'd like to say that Legislator Jon Cooper has an excused absence from today's meeting. I'd like to move right to the agenda, because I know Legislator Carpenter has another commitment that she has to get to.

LEG. CARPENTER:

Thank you.

INTRODUCTORY RESOLUTIONS

1674•04. Appointing members to the ATV Task Force. (CRECCA)

CHAIRMAN SCHNEIDERMAN:

Is there a motion on this? I'll make a motion. There's three members; Tom Ricker, Robert Ott and John Savio. Is there a second? By Legislator Montano. All in favor? Any Opposed? Passed and carried. **APPROVED. (VOTE:7•0•0•1) (Not present; Legis. Cooper).**

TABLED RESOLUTIONS

1027•04. Establishing a turf policy for athletic fields in Suffolk County Parks. (BISHOP)

LEG. CARPENTER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

I was expecting this to be withdrawn. Motion to table by Legislator Carpenter.

LEG. MONTANO:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded to withdraw by Legislator Montano •• I'm sorry, to table it. All in favor of tabling?
Any Opposed? So **TABLED. (VOTE:7•0•0•1) (Not present; Legis. Cooper)**

1388•04. To establish Community and Youth Services Program at Sheep Pasture Road in Port Jefferson/Setauket, New York. (VILORIA•FISHER)

CHAIRMAN SCHNEIDERMAN:

Let me make sure that you get down that Legislator Caracciolo is present as well.

LEG. VILORIA•FISHER:

I have a question of Counsel.

CHAIRMAN SCHNEIDERMAN:

I didn't see you when we started the meeting.

LEG. CARACCILOLO:

I was here.

CHAIRMAN SCHNEIDERMAN:

Okay. Just making sure the record got you.

LEG. VILORIA•FISHER:

Counsel, would you known if CEQ has approved the plan for this?

CHAIRMAN SCHNEIDERMAN:

For 1388?

LEG. VILORIA • FISHER:

For 1388. I'm asking Counsel.

MS. KNAPP:

I can double check that right now. CEQ actually met, I believe it was Thursday of last week. I know that Legislator Caracciolo had something that was pending before CEQ, and CEQ was kind enough to make sure that I got everything that they thought I needed. I did not get this one. But I can make •• we can get a call to Jim Bagg and find out, you know, where this stands on their agenda.

CHAIRMAN SCHNEIDERMAN:

Commission Foley may know. Do you know, Commissioner?

COMMISSIONER FOLEY:

We don't know.

LEG. VILORIA • FISHER:

Okay. If we could just pass over it for a minute while Counsel finds out the answer to that.

**1458•04. Amending the ATV Task Force to add two additional members.
(CARACCILOLO)**

CHAIRMAN SCHNEIDERMAN:

Okay. Let's move on to 1458. Legislator Caracciolo, are you tabling again 1458?

LEG. CARACCILOLO:

No. Actually, I'd like Commissioner Foley to come up. Good morning, Commissioner.

COMMISSIONER FOLEY:

Good morning.

LEG. CARACCILOLO:

The questions I have relate to the ATV Task Force. Has it commenced its work yet?

COMMISSIONER FOLEY:

It has not.

LEG. CARACCILO:

What is the status? As I recall, that resolution was passed several months ago, maybe as far back as April or May. What has been the delay?

COMMISSIONER FOLEY:

Well, the instructions as I recall, although I don't find them here, were that the Chair, which would be me, would be informed of the appointees upon swearing in of them, and I have not received such information.

LEG. CARACCILO:

Okay. That's very helpful. Chairman Schneiderman, accordingly I would request that that Committee have a broader representation than it currently has. As you may have noted, I am a cosponsor on 1674, which is Legislator Crecca's resolution to name his appointees. And I would submit that the broader the representation, and you and I have had other conversations regarding other things, the better. And Commissioner, I would just like to listen to you. How do you feel about that?

COMMISSIONER FOLEY:

The broader representation?

LEG. CARACCILO:

Of the user groups. You know, I mean, my resolution speaks to really two other primary user groups that currently would be shut out of what I think are potential impacts on what we do in County parks and what they do a lot of, and a lot of them are stewards for the County at no cost to the County. They're volunteers.

COMMISSIONER FOLEY:

I'm ambivalent on the question, really, because I think if the task force follows the process that adequately includes the public and other user groups, we can get all the voices heard, whether they are represented on the task force or not.

LEG. CARACCILO:

I can assure you I intend to be very active at those meetings. But again, I would request that the committee consider these two additional appointees, since in fact the committee has not begun its business. Had it •• had it by this time done so, I probably would have just withdrawn the resolution. But I'd rather have an up or down vote, and I leave it to the committee members and their wisdom to do so.

CHAIRMAN SCHNEIDERMAN:

I'd like to comment. The original ATV resolution was targeted largely at investigating whether a site could be found to have a legal use of ATVs within the County under the assumption that that might decrease the illegal use in the parks. I am not convinced that that will actually happen. But the primary function was to look at various sites, and you know, access and noise considerations and various things like that. I'm very much interested in getting these ATVs out of our parks and ways to do that. There's quite a bit of trail damage caused by these things. And I'm wondering if it may •• and I've talked with Legislator Caracciolo about this, about whether it might make more sense to have a separate trails committee in Suffolk County that would look at ways to improve our trail system, maybe look at, you know, ways to get these ATVs out of there that actually would work. So I'm thinking that the composition for such a trails committee would focus on, you know, the hikers, the equestrian users, the Parks Police and various members, more like the composition that Legislator Caracciolo originally recommended for the ATV committee, which is more looking at sites. So my inclination is, I understand where Legislator Caracciolo is going, I think it's a laudable goal, but I think it might be better accomplished through a separate committee that's focused on improving our trails system. Maybe you can comment on that.

COMMISSIONER FOLEY:

Well, let me point out that the subject legislation has a dual focus. It's not only to look at sites, but it says, and to make recommendations to reduce illegal ATV use on public property in Suffolk County.

CHAIRMAN SCHNEIDERMAN:

That's the language I had inserted there.

COMMISSIONER FOLEY:

It does have that as one of its requirements, and I would expect we would concentrate on those two things. I would expect if the task force serves its mission, we'll come back to you with at least some minimal recommendations or some findings on reducing illegal activity. I would also like to point out that in the 15th resolved of that, the terms of office of the members all terminate on October 1st, 2004. That does not give us much time to carry out the work. You may want to address that in some fashion.

CHAIRMAN SCHNEIDERMAN:

All right. So there's a motion, is there a second?

LEG. CARPENTER:

I'll second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Caracciolo, a second by Legislator Carpenter.

LEG. ALDEN:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Alden.

LEG. ALDEN:

There's a question, I guess, to Legal Counsel. 1674 has how many people appointed to it?

LEG. CARACCIOLO:

I believe it was 11.

LEG. O'LEARY:

Three.

LEG. CARACCIOLO:

Oh, I'm sorry, that resolution. The task force, Legislator Alden, I believe was either 11 or 13. I think it started as a 15 member task force, then it went down to 11.

LEG. O'LEARY:

We have three appointments today.

LEG. ALDEN:

So we have nine open spots?

LEG. O'LEARY:

Eight open spots.

LEG. ALDEN:

All right. So have you spoken •• Legislator Caracciolo, have you spoken to Legislator Crecca about ••

LEG. CARACCIOLO:

Oh, extensively, going back to his assurance that he would not even submit this resolution, which I think you are aware of. It has caused some consternation when people break word, but that's a different story.

LEG. ALDEN:

So you talked to him about 1458, adding these two additional members?

LEG. CARACCIOLO:

Originally, I had spoken to him when I submitted my competing resolution to have this type of membership included. He was not inclined to consider that favorably. That led me to file my own resolution. Subsequently, I withdrew my resolution because of the passage of his, but I still think it's rather important to have other user groups represented.

LEG. ALDEN:

I don't have it in front of me. Who are the two on your's, 1458?

LEG. CARACCIOLO:

Long Island Greenbelt Trail Conference, and I believe the Nassau•Suffolk Equestrian Association would have a representative.

LEG. ALDEN:

Okay. Just overall, I'd be inclined to keep this committee as small as possible, because I don't believe that, you know, when you start putting 11, 12, 14, 15 people together, your schedules

are going to hard and things like that. And if you want to accomplish anything or if you want to get through it, it actually should be even a smaller group than that.

Nothing precludes the fact of inviting these people to come. And I would hope, and the Commissioner has assured us a couple of times, that, you know, he is going to include all the public, all the user groups and elicit their responses to this. So, you know, like, as far as formally, you know, making this bigger, I don't even agree with the size of it now, as far as 11. I don't think they're going to be able to get anything done. You know, to schedule a meeting •• and I've noticed here sometimes, like, if we have to schedule a new meeting, we have 18 members and to find openings in your schedule to get that going is almost a nightmare or an impossible project.

I would almost charge the Commissioner, you know, by himself to go and put together a group of experts and give us report. You know, something along those lines. But you know, we do have •• the task force was approved. I would just ask the sponsor of this one, you know, to maybe take it on faith that the Commissioner is going to include these people. And there's other people on this legislature that if something comes back and it sounds like it was weird or rammed through or, you know, not a proper procedure followed, that, you know, like, we would remediate it at that point in time.

CHAIRMAN SCHNEIDERMAN:

Legislator O'Leary.

LEG. O'LEARY:

I'd like to go on record with respect to 1458 saying that I'm in favor of this simply because I think it should be all inclusive. Any organization that has a perception on their part that they're going to be impacted by the •• by a structure such as an ATV being built, should have some input into whether or not it's going to occur or whether or not the site location would impact their particular interest.

But my question to the sponsor is would the addition of these two people to the task force satisfy your concerns with respect to any future involvement with other organization? Does this appear to be all inclusive as to the organizations that would have an impact •• that would be impacted by the construction of an ATV?

LEG. CARACCILO:

Absolutely. And if I can just add a foot note to that in response to some very reasonable suggestions by Legislator Alden. The reason why I feel so strongly about them being part of the committee, because then it will be a process that has inclusion. Right now they can go before the task force and their voices can be heard, but when it comes time to vote, they may be shut out. And one of the concerns I had from the very beginning with the resolution that was approved that it tilts the balance clearly from my perspective in favor of the ATV groups. Bearing that in mind, I've accepted the fact that there is a task force. I'm so cosponsoring Legislator Crecca's three appointees, all of whom are from the ATV community. And all I'm asking today is that we make this a broader fairer representative group.

LEG. O'LEARY:

I believe my question has been answered, that these two additions will ••

LEG. CARACCILO:

Yes.

LEG. O'LEARY:

•• make the task force issue a closure for all intents and purposes.

LEG. CARACCILO:

Yes.

CHAIRMAN SCHNEIDERMAN:

Legislator Carpenter.

LEG. CARPENTER:

My question pertains to process. We had the resolution creating the task force. And the resolution before us now would be to amend that and add two more members. But I'm curious and to why we have 1674, to name the members to the task force. Isn't that something that's just done by, you know, whatever group they're there representing, whether it's the Legislature or the County Exec's Office or the Parks, and in this case, those various groups would have just forwarded the name of the person respecting that group to the Parks Commissioner who is chairing the task force? Because I think perhaps that's part of the reason why they haven't met

yet, if they're waiting for the appointments to have to go through the Legislative process. I mean, we have the Public Safety Staffing Levels Task Force, and we got the names of the various representatives from the groups named, and we will be moving forward with that first meeting. If I had to wait for Legislative resolutions, that would add a couple of months. This seems odd and not something that we've done before.

MS. KNAPP:

My recollection of that one was that that was the way it was built. Some resolutions, as you point out, are very specific as to allowing the group. In that one, I believe that we said it was to be appointed by the Legislature from a specific group. And I'm just opening, I have another one here that is very similar, a representative that is appointed by the County Legislature, in this case, with a degree in economics and ten years experience.

LEG. CARPENTER:

But then again, that appointment for the other task force, whichever it is, when that person's name is put forward, it shouldn't necessitate another resolution. Because that's going to really inhibit any of these task forces that we approve in getting started. And perhaps, you know, as the Legislature we should keep that in mind when we're doing this.

MS. KNAPP:

You're absolutely right. Because the Legislative process is a deliberative one and designed to be a deliberative one. I think that the point you make is that we should either allow the Presiding Officer or the chairman of a particular committee to make the appointment.

LEG. CARPENTER:

I'll go back to the public safety staffing levels, that clearly said the representatives from the PBA, the Police Department, the County Executive, BRO, you know, whatever, blah, blah, blah. So now in trying to get that first meeting together, it was just a matter saying to the various groups, who is your appointment, make sure it's filed with the Clerk of the Legislature, then we can begin our deliberations. So I just •• unless there's some real, you know, need for the Legislators to have to know who that specific individual is once we approve the task force, it seems that we're really, you know, tying our hands when we've approved an issue like ATV, which was done months ago. Here they haven't had their first meeting, they're due to expire in October. I'm sure when that resolution was drafted, October seemed like a reasonable amount of time.

CHAIRMAN SCHNEIDERMAN:

Legislator Alden.

LEG. VILORIA • FISHER:

Mr. Chairman.

LEG. ALDEN:

I just have a quick question for Legislator Caracciolo. Going down, and go down the list real slow, because obviously I can't add. That's why I always lose when I play golf. Now with these •• these are two people •• two groups, right? So how does that balance out now? Because you said ••

LEG. CARACCILOLO:

If you would. It would make the task force 13 members instead of 11. Right now under the original resolution it consists of the Chair, who is the Parks Commissioner, Director of Planning, Mr. Isles, Director of Legislative Budget Review, Mr. Spero or his designee, the County Attorney or her designee, the Chair •• members the Parks, I think there's another committee •• maybe not.

LEG. ALDEN:

Not Ways and Means I hope.

LEG. CARACCILOLO:

It would be Legislator Schneiderman, one member from widely recognized or publically acknowledged environmental group to be appointed by the County Legislature. I don't know if those appointments •• I haven't seen resolutions for any of these individuals. One member from a widely recognized environmental to be appointed •• organization •• to be appointed by the Presiding Officer, that's pending. I'm not aware of a resolution on that individual. The three that Legislator Crecca has submitted and has now been now approved are the representative from Long Island Off Road Vehicle Association, member from a national or regional motorcycle association or club and one member from the New York State Off Highway Vehicle Association. Those three were in the resolution we previously approved today. Going on, the other member that's outstanding right now is member from the Public Safety community to be appointed by the Presiding Officer. That person has not been •• that

resolution not been submitted as far as I know. So the only three appointments outside of those designated individuals who are either department heads or Chairs of Legislative Committees are •• haven't been appointed yet. So I think it's still timely to talk up this resolution.

LEG. ALDEN:

It's always timely, Mike. What I was getting at is I see your point now from the make up and as far as adding those two groups. I can see a valid will point. But my comments before, I still stand by them. I think that a smaller group is going to be able to accomplish more, they'll be able to meet. But if this gives the balance that you think is necessary, you know, I can see your point. I'll support it.

LEG. CARACCILO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Fisher.

LEG. VILORIA • FISHER:

The process of having Legislative approval is based on the resolution which has created the task force. If we were to change that, we would have to amend the resolution on how they would be appointed.

LEG. O'LEARY:

Mr. Chair.

LEG. VILORIA • FISHER:

So I'm hoping that as the names come up, that maybe there might be an omnibus resolution which would name everyone at once, because it really would be such a slow process that we would reach October before the membership were constituted. So Commissioner, do you have any inkling as to whether the people who will participate in this task force have been chosen or come forward?

COMMISSIONER FOLEY:

The only names I've heard are the ones in the resolution before you now other those specifically

designated people. I took the resolution literally, and where it said appointed by the County Legislature, accepted that's the way it was going to be. I haven't pursued it.

LEG. O'LEARY:

Through the Chair.

LEG. VILORIA • FISHER:

If I may finish my point. We're now •• we will be mid August by the time this is done, and we haven't even reached a level where we could come to a quorum.

CHAIRMAN SCHNEIDERMAN:

Clearly there would have to be an extension on this.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

That's something I wanted to point out, that 58 has that same language adding the two reps to the task force, that it would require an appointment by the Legislature and ratification by the full body. Is there •• is there some way that you would be able to expedite this matter and introduce a resolution similar to what Legislator Crecca has introduced with respect to an appointment?

LEG. CARACCILOLO:

The short answer is yes. I think we can reach out to those organization and have names by Tuesday's meeting.

LEG. O'LEARY:

Okay. Because this way if we have the five that have to be ratified by the full body, we can do it all it at once as Legislator Fisher just eluded to.

CHAIRMAN SCHNEIDERMAN:

Again, I'd like to comment that if we really •• if our goal is to reduce illegal use Of ATVs in County parkland, I think we'd set up a committee with a fundamentally different composition, and I think there's merit for that. Adding these two members, you know, I think it's fine, but I

don't expect this ATV task force to focus primarily on that issue. I expect to focus, again, more on the siting issues. And I'll end up supporting it, but I think it could be done a better way. All in favor? Any opposed? Passed and carried. **APPROVED. (VOTE:7•0•0•1) (Not present; Legis. Cooper)**

LEG. CARPENTER:

Mr. Chairman, I have a question for the Commissioner.

CHAIRMAN SCHNEIDERMAN:

Sure. We'll turn to the Commissioner now. That takes care of our agenda.

LEG. O'LEARY:

What did we do with 1388?

CHAIRMAN SCHNEIDERMAN:

Did I miss one? The one we skipped over. 1388.

MS. KNAPP:

At the request of Legislator Viloría•Fisher, I did check with CEQ, and they have not completed their review yet.

LEG. VILORIA•FISHER:

Motion to table.

LEG. ALDEN:

Second.

CHAIRMAN SCHNEIDERMAN:

All in favor? 1388 is **TABLED. (VOTE:7•0•0•1) (Not present; Legis. Cooper)**

At this point I'd like to turn to our Parks Commissioner for any comments or questions. We'll start with Legislator Carpenter.

LEG. CARPENTER:

I have one question, and that is the status of trap and skeet, where are we?

COMMISSIONER FOLEY:

We are awaiting the conclusion of the study that you appropriated money for to advise us on what needs to be done to mitigate the sound. It should be finished any day.

LEG. CARPENTER:

Because last month •• actually, more than a month ago now •• when I asked that, you were supposed to be meeting that coming Tuesday or Thursday with the groups to answer some questions, and I assumed that report would be forthcoming.

COMMISSIONER FOLEY:

We've met twice since we've talked on that occasion to fine tune some of the County's desires as far as choices that were presented to us on mitigation. And the consultant took those things back, supposed to finish the report. I actually expected it by now.

LEG. CARPENTER:

So certainly by next meeting we should have that report?

COMMISSIONER FOLEY:

We will push for that.

LEG. CARPENTER:

Okay. Thank you.

LEG. O'LEARY:

Through the Chair, please, with respect to the same issue.

CHAIRMAN SCHNEIDERMAN:

Legislator O'Leary.

LEG. O'LEARY:

Commissioner, with respect to the status of the trap and skeet and the noise mitigation that has to result •• has come about as a result of the report, is there any coordination being down with the town with respect to their noise decibel limits?

COMMISSIONER FOLEY:

I believe the County Attorney is talking about their attorney to examine that question. I wouldn't dare characterize the nature of the conversation.

LEG. O'LEARY:

All right. But there is some conversation or dialog between the town and County with respect to this issue?

COMMISSIONER FOLEY:

It's my understanding there would be, yes.

LEG. O'LEARY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Commissioner, first, let me thank you. I know it took some time to do, but you were able to provide me with information I had requested some time ago with respect to park revenues for the last several years. And I'd like to discuss them, maybe have you make a presentation with regard to that to the entire committee at a subsequent meeting. So if the Chair could arrange for that. But I want to thank Legislator Alden for bringing to my attention something in today's paper relating to apparently • well, I don't know if it's absconding funds or theft or what it is, but apparently there's an article in today's paper that I'm sure ••

LEG. O'LEARY:

Through Counsel. If I may interrupt, please. I think that perhaps this might be a matter for Executive Session for purpose of discussion if we're going to get into the specifics of these allegations.

LEG. CARACCIOLO:

I will not. I'm not going to get into the specifics or the individuals who may or may not be involved. I just want to, you know, underscore a resolution that I previously sponsored

regarding surveillance cameras. It's something that came to my attention a number of years ago, and I sponsored a resolution at the time, probably I think it was two and a half years ago. And I think it's unfortunately that this is another example of theft of services or worst that needs to be dealt with by County Government.

And I would hope that you and I and others would perhaps reconsider the stance of no surveillance cameras in our vendor •• contract vendee operations. Because I believed and when commissioner •• I mean, when Peter Scully was Commissioner of Parks at that time, Cameron Alden •• Legislator Alden and I had a meeting with him, and we brought to his attention some areas that we felt there were cash controls lacking. You know, I've discussed that with you. And I think there's plenty of antidotal evidence that we need to do something more than we are doing. We know we don't have enough Park Police. I'm happy to say that the cash controls that went in at Cupsogue after our insistence on having something that where before we had nothing. We didn't have •• we didn't have a receipt even at that time. But I was unaware of that until one day two years ago I went down to the beach, and I went to the booth, and I paid my with my green card and come to find out that there was no receipt for that transaction.

And I spoke with Commissioner Scully. And it took the department way too long in my opinion to implement a cash control receipt system, but they did it. And very interestingly, the following •• the first year after its implementation •• I don't wanted to be quoted on this as an exact number, several hundred thousand dollars more in receipts there, Smith Point and the other places that previously had no cash control system netted the County an additional revenue. That is very, very, you know, scary and telling. So I look forward to working with other members of the Legislature in perhaps coming up with, you know, a method of dealing with this problem, as well as yourself.

CHAIRMAN SCHNEIDERMAN:

Let's here from the Commissioner on anything that you're doing to prevent these kinds of problems that we just saw in the paper today.

COMMISSIONER FOLEY:

We are far from having an acceptable system of internal controls for cash collection. Disappointingly, there was a security camera in the location where we suspect this money disappeared. More disappointingly, there was a monitor also in the toll booth so that everyone

in the booth could not only see what we could see, they can see what we can't see. And there were occasions when by the procedures that prevailed there, cash was taken from a draw, taken over to an area where the camera couldn't catch it, counted, it was called a midday drop. And again to avoid any targeting or naming of people or situations, what I thought we had in place for procedures, which I asked for in the first week I came here, just doesn't exist. We've got to do a complete analysis of our entire cash handling system from the point that someone pays to the point it gets to the bank. I think it's going to take some infrastructure improvements, it's going to take some personnel improvements.

What I have found Saturday and Sunday when I was trying to wind my way through figuring out what happened and what we were going to do about it, it was very disappointing. I was under the impression that there were more controls in place then there are. Some very basic rules are not being adhered to. As of Monday morning, they're being adhered to at Smith Point. But that leaves the entire world of other locations that I can't assure you today we're doing the right thing. I will assure you we are going to, but we aren't today.

LEG. CARACCILO:

Given your previous experience in the state, did they have similar problems? Is this •• is this a chronic issue ••

COMMISSIONER FOLEY:

There will always be people overwhelmed by the temptation of cash. It's just human nature, and you're never going to be able to stop every theft or loss or error or mistake, whatever you want to call it. The measure that we should all have is are we doing the basis necessary things to minimize those opportunities. Saturday and Sunday I found we were not. Monday, at least at that one location, we are. So it's a common problem. There are tried and tested ways of dealing with it. We've got to make sure we're putting those in place.

LEG. CARACCILO:

Does that indicate that there should be someone or several people, including first line supervisors that are going to be held accountable for those measures?

COMMISSIONER FOLEY:

Accountability has to be firmly established. It was not on Saturday when I got there. There are

lots of people involved in this process, but no one who you or I could point to and say that's the responsible entity, or even that there's a level of management in the organization that is the responsible entity. It's kind of a lackadaisical approach to this. In some ways, it's understandable. People are out there every day trying to respond to the needs of the public, they take that as their first duty, to keep people safe and happy. They took this internal control stuff as kind of a pain in the neck. And it is, and it's no one's favorite thing to do, but it's a necessity of managing a system properly.

LEG. CARACCILO:

And the amount that was quantified \$3000 or \$8000, that was determined how?

COMMISSIONER FOLEY:

Well, there were some things put in place subsequent to the major loss in 2002 at Smith Point that did work. It was found by comparing the cash that was actually counted and deposited with a cash register receipt. The problem is it was not done on a daily basis the way it's required to in the policies and procedures. And it took 21 days to discover the first loss. During that period of time, four or five more losses occurred. While we were down there studying it on Saturday trying to figure out what was happening and how we might catch the person, \$500 more disappeared right under our noses. We stopped that on Sunday. We had to balance whether we were going to a criminal investigation or do something administratively. We talked to the police and determined there wasn't a good enough trail from the loss to the people to pursue a case. I decided to take administrative action, stop the losses and that probably eliminated the possibility of a criminal ••

LEG. CARACCILO:

Does that imply that you've reassigned individuals or personnel, terminated anyone?

COMMISSIONER FOLEY:

No. I did not do that. I don't think this is the forum to talk about that. We implemented new procedures to adhere to those just basic rules; one person, one drawer, no one else touches the money throughout the day, you don't take it back and throw it on the table and recount it before you deposit it, all that stuff. So there were too many opportunities for cash to walk a way.

LEG. CARACCILO:

So you feel the procedures you've now implemented have resulted in somebody if something's missing being held strictly accountable?

COMMISSIONER FOLEY:

At that one location.

LEG. CARACCILO:

Right. Okay. And you are reviewing your other locations and procedures.

COMMISSIONER FOLEY:

You don't do that over night, but we're •• we have a meeting coming up next week, and we're going to establish authority and accountability for this system and talk about an assessment of what we need to make it work.

LEG. CARACCILO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Alden.

LEG. ALDEN:

Hi, Commissioner. We've had some discussions in the past, and I think probably right now is a very good time, because you indicated to me a lack of resources too to do 100% thorough job on this. We're going through the budget process, and there will be a budget submitted very shortly to the Legislature, then we're going to be making changes. And I think it's imperative that you indicate to us what you need for security. Because to balance it out, the amount of cash that comes in to the County through the Parks Department is huge compared to •• the other revenues that the County receives, while they eclipse the amount that we get in Parks, they're mainly checks or, you know, transfers, funds coming from New York State, things like that.

So the cash end the business, so to speak, in Suffolk County is right in your department. And if you need extra money, extra personnel, people that can do auditing, because we have a whole bunch of contract vendees basically that are doing business with the Parks Department, and we

have to be able to hold everybody accountable. So it's a lot of work to do, and, you know, it's a short period of time, but whatever you can give us as far as direction so that we can, you know, correct this on a, you know, system wide basis, we have to do it now.

COMMISSIONER FOLEY:

The County Executive asked for essentially the same thing. And the problem is very late in the budget cycle. I don't know •• when I come forward with a recommendation, I want to make sure it's the right one and it deals with the all these issues. And we do have to deal with contractees and the concessionaires, because we are not properly monitoring that situation either. So I want to make sure I get it right when I come to you, and I don't know if I'll be able to do that in the timing that is necessary for the budget cycle. But we're trying.

LEG. ALDEN:

The attempt •• you know, if you make the attempt and then we see that, you know, subsequent to the budget if we have to amend it next year because you need two more security or you need another auditor or something like that, at least, you know, those would be progressive steps that we'll be taking towards, you know, really the security that we need in the system. To shift gears, I have one other question. Are you being included now with talks about the Scully Estate?

COMMISSIONER FOLEY:

Yes.

LEG. ALDEN:

As far as, you know, usage by different groups and things like that?

COMMISSIONER FOLEY:

Yes.

LEG. ALDEN:

Good. And if you could just include me on the list to be invited to those •• any of the meetings that you have with, you know, outside groups.

COMMISSIONER FOLEY:

Okay. We haven't, except for a couple of times months ago, we haven't had any formal meetings on it. We've just been communicating with Real Estate and County Attorney and

others, occasionally a group, nothing formal yet. But, yes, we'll keep you posted.

LEG. ALDEN:

Because there are some local groups that want, you know, to make sure that we all are aware of the, you know, fact that they might want, you know, some kind of access or usage.

CHAIRMAN SCHNEIDERMAN:

Legislator O'Leary.

LEG. O'LEARY:

Yes. Commissioner, this is •• this is more specifically related with respect to Smith Point County Park. Just recently I received some calls in my district office about the complaints of the lighting system within the park itself, the parking lot and the tunnels, I haven't •• I have not gone down there to see it myself, but apparently when •• for those people that are there at dusk or in the early evening hours when it's •• the lighting is insufficient for purpose of seeing where they are going. I just wanted to make you aware of that.

COMMISSIONER FOLEY:

Thank you. I haven't been down there to check either, but we'll find out what the story is.

LEG. O'LEARY:

It's just within the last couple of days that I received this information.

COMMISSIONER FOLEY:

All right. Thanks.

LEG. O'LEARY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Caracciolo.

LEG. CARACCILO:

While we're on the issue of district issues. I don't want to, you know, get ahead of myself here, we have a meeting next Friday in my office, I understand you'll be there, to discuss a parking •

• off•road parking so that the public can make access to Terrell County Park. And one thing that was brought to my mind since we last met is that •• you know, I think you are aware of this now, Commissioner, when the original resolution created the park it required a management plan, which it's my understanding never created or established. I hope that will not become an impediment to providing a small off•road gravel parking lot, particularly for local residents in Center Moriches and East Moriches who walk the park frequently but don't have, you know, parking access.

COMMISSIONER FOLEY:

I don't think it will. I think something like that is informal, it's not very intrusive, it can be restored if we deem it needs to be. I don't think that's a problem.

LEG. CARACCIOLO:

Okay. So you don't think it would infringe upon any •• anything with respect to it being a park property or preserve?

COMMISSIONER FOLEY:

If I understand the scope of what we're talking about, no, I don't think so.

LEG. CARACCIOLO:

Okay. If you could research that between now and Friday's meeting with the Law Department, I would pressure that, so that we don't get blind sighted after that meeting that there's going to be a problem.

COMMISSIONER FOLEY:

Yes.

LEG. CARACCIOLO:

Thank you.

COMMISSIONER FOLEY:

I'll do my best.

LEG. ALDEN:

Maybe include one or two spaces for someone that might want to come there from Islip or

Babylon or something like that, you know, just in case.

LEG. O'LEARY:

One space for Islip.

CHAIRMAN SCHNEIDERMAN:

Commissioner, there was a situation brought to the Legislature's attention I believe year about •• a question about an encroachment on a County Park out in Montauk. You maybe familiar with it. I think we are waiting on a survey. Is there any information regarding that?

COMMISSIONER FOLEY:

I don't have any new information. The folk lore I've heard about it was if there was encroachment it wasn't significant encroachment on. I think there was kind of a cost benefit question, if that's the little bit of encroachment we're talking about, should spend the money on a survey. I'll have to check and see what the status of that is. My sense was that was not going forward, but I can check and let you know.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you. No further comments? Motion to adjourn. We are adjourned. Thank you.

(* THE MEETING WAS ADJOURNED AT 12:28 P.M. *)

_ _ **DENOTES BEING SPELLED PHONETICALLY**